

## REMARKS/ARGUMENTS

### 35 USC §102 Rejections

Claims 1 and 5 stand rejected under 35 USC §102(e) as being anticipated by US patent serial no. 6,922,725 to *Lamming*. However, the Manual of Patent Examining Procedure (M.P.E.P.) states that a claim is anticipated by a reference **only** if each and every element as set forth in the claim can be found in the reference and, furthermore, that the **identical** invention **must** be shown in as complete detail as is contained in the claim.

A claim is anticipated **only** if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference. ... The **identical** invention **must** be shown in **as complete detail as is contained in the ... claim**.

(M.P.E.P. § 2131, subsection titled “TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM”, emphasis added). Applicant respectfully submits that each of the independent **claim 1** includes at least one feature not described by *Lamming*. Dependent claims 2-8 depend from allowable base claim 1. Thus, claims 1-8 are not anticipated by *Lamming*. Exemplary features of the independent claims that are not shown in as complete detail in *Lamming* as are contained in the pending claims are now described.

**Claim 1** recites:

- A middleware communication space enabling coordination of one or more distributed applications in a partially connected ad hoc wireless network, the middleware comprising:

- a proxy component configured to receive data from the one or more distributed applications;
- a protocol agent coupled to the proxy component, the protocol agent configured to monitor metadata for transport and to govern transport of messages in the partially connected ad hoc network; and
- a metadata storage component coupled to the proxy component and the protocol agent, the metadata storage component configured to store metadata capable of being transported as a message according to the one or more distributed applications, the middleware communication space providing a bridge between two or more partially-connected networks, the bridge enabling temporary storage of the messages to enable transparent messaging between two or more devices.

In addressing this claim, the Action asserts that Fig. 3 of *Lamming* describes the claimed "middleware communication space enabling coordination of one or more distributed applications in a **partially connected ad hoc wireless network**, the middleware comprising: **a proxy component** configured to receive data from the one or more distributed applications" (emphasis added). Applicant disagrees.

Fig. 3 of *Lamming* is a diagram that "depicts actions performed by the output device 106, the mobile computing device 110, and document server 108 to perform a document service request", (column 8, lines 10-12). Fig. 3 clearly does not depict any type of ad hoc network, and clearly not a "partially connected ad hoc wireless network", as claim 1 requires. Referring to Fig. 1, even networks 102 and 104 of *Lamming* do not describe the required "partially connected ad hoc wireless network. Although *Lamming* describes that such networks 102 and 104

can be ad hoc networks, *Lamming* is completely silent with respect to any description, or fair suggestion, of whether such ad hoc networks 102 and 104 are "partially connected", as claim 1 requires. However, it was well known in the art at the time that this patent application was filed that ad hoc message communication routing methods assume an end-to-end path that connects communication nodes. Additionally, it was well known that such communication methods fail if there is no such end-to-end path connecting the nodes. Applicant respectfully submits that this latter scenario is present in a partially connected network. Thus, Applicant respectfully submits that had *Lamming* intended a system that operated over an ad hoc network where they were a possibility of no end-to-end communication paths connecting nodes, *Lamming* would have so indicated and enabled such a system. However, *Lamming* is completely silent with respect to any description, or fair suggestion, of such an implementation. For this reason alone, *Lamming* does not show the identical invention of claim 1 in as complete detail as contained in the claim. Accordingly, *Lamming* cannot anticipate claim 1.

Independent claim 1 is allowable over *Lamming* for at least the reasons presented above. Furthermore, dependent claims 2-8 respectively depend from independent claim 1, and are therefore patentable at least for reasons based on their respective dependencies on an allowable base claim. Thus, claims 1-8 are not anticipated by *Lamming*.

Withdrawal of the 35 USC §102 rejections of claims 1-8 is requested.

### **35 USC §103 Rejections**

Claims 2-4 and 6-8 stand rejected under 35 USC §103(a) as being unpatentable over *Lamming* in view of US patent no. 7,200,674 to *Sapuram*. These rejections are traversed. *Lamming* is combined with *Sapuram* to attempt to arrive at specific features of these dependent claims, which for the reasons addressed above, depend from allowable base claim 1. Specifically, with respect to claim 2, *Sapuram* is relied on for the teaching of SOAP and a WS series protocol format. With respect to claim 3, *Sapuram* is relied on for the teaching of XML. Regarding claim 4, *Sapuram* is relied on for the teaching of the WS series protocol format. With respect to claims 6-8, *Sapuram* in combination with the Examiners Official Notice is relied on for the teaching of organizing messages into data fields. Even assuming arguendo that *Sapuram* teaches such missing features, the addition of such missing features does not cure the already described deficiencies of *Lamming*, the primary reference. Specifically, the cited combination fails to teach at least the claimed "partially connected ad hoc wireless network", within which the claimed "middleware communication space enabl[es] coordination of one or more distributed applications", as each of claims 2-4 and 6-8 require. Thus, the cited combination of references fails to teach or suggest each and every element of claims 2-4 and 6-8, each of which respectively depends on allowable base claim 1.

Withdrawal of the 35 USC §103(a) protection of claims 2-4 and 6-8 is requested.

**Conclusion**

Should any issue remain that prevents allowance of the application, the Office is encouraged to contact the undersigned prior or issuance of an Office action.

Respectfully Submitted,

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